

PCT/NZ2004/000298

REC'D 28 DEC 2004
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CERTIFICATE

This certificate is issued in support of an application for Patent registration in a country outside New Zealand pursuant to the Patents Act 1953 and the Regulations thereunder.

I hereby certify that annexed is a true copy of the Provisional Specification as filed on 24 November 2003 with an application for Letters Patent number 529722 made by RICHARD JOHN UPSHIRE.

I further certify that pursuant to a claim under Section 24(1) of the Patents Act 1953, a direction was given that the application proceed in the name of WORLD WIDE WINE LIMITED.

Dated 14 December 2004.

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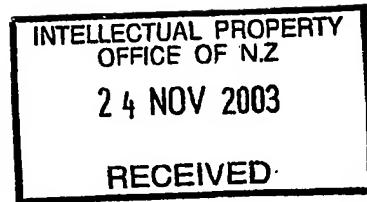
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529722

Patents Form # 4



NEW ZEALAND

Patents Act 1953

PROVISIONAL SPECIFICATION

Title: Improvements to Bottle Capsules

I, **UPSHIRE, Richard John,**

Nationality: A citizen/company

Address: 106A Gowing Drive, Meadowbank, Auckland, New Zealand,
do hereby declare this invention to be described in the following statement:

FIELD OF THE INVENTION

The present invention relates to improvements to bottle capsules, in particular but not exclusively to improvements to bottle capsules used on wine bottles.

BACKGROUND ART KNOWN TO THE APPLICANT

5 The metal or plastics "capsule" or cover that wraps around the business end of a wine or champagne bottle was originally designed to protect a cork from the actions of burrowing insects and mice that would normally have been found in a wine cellar. Originally the capsule was made of lead foil but safety fears about lead itself meant that by the 1990s, this metal was no longer used.

10 The cost of using or otherwise developing other metals or metal alloys for the same purpose prompted the development of capsules made from other materials which in turn, has lead to the development and wide spread use of the present day coloured (or indeed clear) plastics capsules whose function is now generally regarded as purely decorative.

In modern wine bottles, only the head of the capsule is routinely removed and thrown away.
15 This is carried out by cutting the capsule head with a blade (usually by running the blade around the neck of the bottle) and then levering off the head with the blade to expose the cork.

It is often the case that individuals drinking champagne or wine (especially if they have enjoyed it) want to recall the name of the bottle for future reference. Unfortunately, unless
20 someone has the presence of mind to write down the relevant details of the bottle somewhere and to then keep the details safe, until they are required, this information is usually lost with the passage of time.

Usually, this problem is solved by ripping off the wine or champagne bottle label or keeping the cork. However, these solutions are themselves fraught with difficulties as the labels tend
25 to be very well glued to the bottle, making their removal very difficult and the corks are usually too bulky to be kept for long periods.

It is an object of the present invention to attempt to alleviate this problem or to at least provide the public with a useful choice.

STATEMENTS OF THE INVENTION

According to the present invention in its broadest aspect, there is provided a bottle capsule incorporating a tag, whereon at least information for the identification of a bottle that the capsule is to be fitted is applied, wherein the tag and capsule are so arranged that separation 5 of the tag from the capsule to form two disconnected sections enables at least a portion of the capsule to be displaced or removed from a bottle that the capsule that has been fitted to whilst the tag retains all of said information.

This tends to alleviate the problem as outlined above as the tag is designed to be easily separable from the rest of the capsule and the tag once removed is discreet and may be 10 contained in a wallet until required later.

The tag may contain the following information, the name of the wine, a website address for more information, and/or a telephone number. Alternatively, it simply contain, a text number or letter code that if tapped in on a mobile phone and sent, will be received by an SMS key word/number server, that will then automatically re-send to that mobile phone, full details of 15 the wine , as an example, as well as details of a competition to enter.

The information may be located on the exposed exterior surface of the tag so that it can be seen at all times, or it can be located on the opposing surface of the tag and only seen once the tag has been separated from the rest of the capsule. Alternatively, rather like a "stick of rock", the information may be contained throughout the thickness of the tag, thus alleviating 20 the possibility that the information may be "rubbed off" accidentally.

Of course, there are several ways in which a capsule may incorporate a tag. The tag may be integrally formed as part of a body of the capsule and separable therefrom via for example a number of frangible sections in the form of a serration or line of weakness in the capsule. The capsule may incorporate the tag simply by contact and be retained in place on the 25 capsule via for example, the capsule possessing a number of eyes through which the tag passes. If the eyes were linked to a pair of circumferential parallel lines of weakness in the capsule, removal of the tag would cause the lines of weakness to separate from the body of the capsule. Another way of incorporating the tag to the capsule could be by fixing the one to the other by for example glue, to form an integrally assembled tag and capsule.

Preferably, the tag is integrally formed or integrally assembled with the capsule.

Preferably, the arrangement to separate the tag from the remainder of the capsule is through the use of a number of frangible sections, wherein a number of additional frangible sections not parallel with the tag-capsule frangible sections also exist to aid the complete removal of
5 the capsule from a bottle to which the capsule has been fitted.

Both types of frangible section may be of the same type or they may be different, however, more preferably still, the tag-capsule frangible sections are similar to the other frangible sections.

Separation of the tag from the rest of the capsule may be through a spiral or circular action
10 (either of which may or may not completely circumnavigate the bottle that the capsule is fitted to) substantially depending on the arrangement of the frangible sections. Alternatively, separation of the tag from the rest of the capsule may be through a substantially linear action.

The tag itself may be formed from the same material as the capsule or it may be formed from
15 (or incorporate) another type of material. For example, one may be formed from plastics material whereas the other may be metallic. On the other hand, the tag may be metallic sheathed in plastics material. The tag may be magnetised to enable it to act as a "fridge magnet" especially if it is formed from more than one material.

Preferably, the tag is formed from at least the same material as the capsule.

The length of the tag may be greater than the largest circumference swept out by the capsule
20 when fitted to the bottle. In such an arrangement, the tag would terminate at one end with a freely accessible projecting tongue that could be gripped by an individual when attempting to separate the tag from the rest of the capsule. The length of the tag may be substantially the same as the smallest circumference swept out by the capsule when fitted to the bottle. The length of the tag may be smaller than the smallest circumference swept out by the capsule
25 when fitted to a bottle.

In each of the other two arrangements described above, a tongue may or may not be present. If a tongue is not present, then it may be necessary to "pick" at one end of the tag with an instrument to peel part of the tag away to generate a tongue.

In any of these arrangements, the frangible sections of the capsule would be so configured as to allow for either the complete removal of the capsule from the bottle that it had been fitted to or the removal or displacement of a portion of the capsule (for example to expose the cork), once the tag had been removed. Preferably, removal of the tag results in the automatic
5 removal of the entire capsule from a bottle that the capsule has been fitted to.

Throughout this specification the word "displacement" and variations of that word, such as "displaces" and "displaced", when applied to a bottle capsule is to be understood as referring to a portion of the bottle capsule that is so configured on removal of the tag as to cause the exposure of the cork, without the total, complete and severable removal of the cork
10 covering portion of the bottle capsule. In other words, the original cork-covering portion of the bottle capsule would still be attached to the rest of the bottle capsule

Preferably the tag when the bottle capsule is fitted to a bottle, is located above the bottle flange.

The invention includes within its scope a bottle capsule substantially as herein described
15 with reference to and as illustrated in figure 1 of the accompanying drawing.

The invention further includes within its scope a bottle (preferably a wine or champagne bottle) incorporating a bottle capsule as specified herein.

BRIEF DESCRIPTION OF THE DRAWING

Preferred embodiments of the present invention will now be more particularly described by
20 way of example only, with reference to the accompanying drawings in which:

Figure 1 illustrates a partial side view of a wine bottle incorporating a bottle capsule of the present invention.

DESCRIPTION OF THE PREFERRED EMBODIMENT

Figure 1 illustrates a wine bottle 2 with a flange 9, fitted with a bottle capsule 3 of the
25 present invention and is generally referenced 1.

The bottle capsule 3 comprises a head that overlies a cork (not illustrated) of the wine bottle 2 and a skirt integral with the head that surrounds the top portion of the neck of the wine

bottle 2. The bottle capsule 3 is formed completely from plastics material and incorporates an integrally formed tag 4 that is defined by a finger actuatable projecting tongue 5. Parallel with and in the same plane as the tongue 5 where it meets the wine bottle 2, the tag 4 is further defined by the distance separating a pair of substantially parallel frangible serrations

5 6. This distance is substantially equal to the width of the tongue 5. The pair of serrations 6 completely surround the wine bottle 2 and the circumferential path swept out by the frangible serrations 6 is substantially orthogonal to the longitudinal axis of the wine bottle 2. Thus, the tag length is equal to the circumferential path enclosed by the frangible serrations 6 and the tongue 5.

10 10 A pair of curved frangible serrations 7 extend upwardly and away from each other in an arc from the base of the skirt where they meet and each terminate at different points along the lower (of the pair) of the frangible serrations 6. A similar pair of frangible serrations 8 extending from the start of the head of the bottle capsule 3 (where they meet) extend downwardly and away from each other and each terminate at different points along the upper (of the pair) of the frangible serrations 6.

The name of the bottle of wine 2 together with the website of the wine maker is printed on the exterior visible surface of tag 4 between the upper and lower frangible serrations 6.

In operation, an individual will place his or her finger and thumb on the tongue 5 gripping it tightly and pulling the tongue 5 in a generally circular action within the parallel planes swept

20 20 out by the pair of frangible serrations 6. This action will break the frangible serrations 6 and in so doing, will allow the tag 4 of the bottle capsule 3 to be separated completely in one piece from the rest of the bottle capsule 3. The tag 4 containing the information about the wine bottle 2 can then be kept by the individual in a wallet for future reference. In the meantime, a nail of the individual can now be pressed against the neck of the wine bottle 2 exposed by the removal of the tag 4 and slid downwardly between the upper terminating points of the frangible serrations 7. This action breaks the frangible serrations 7 allowing this portion of the bottle capsule 3 to be removed (if required). A similar action in a generally upwardly direction will break the frangible serrations 8 to expose the cork of the wine bottle 2.

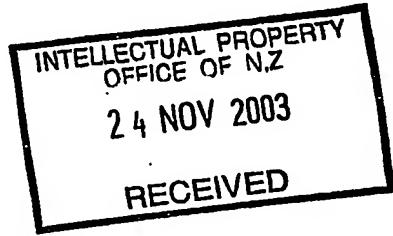
The type of plastics material that the capsule body 3 can be formed from may be selected without further inventive thought by the intended skilled addressee of this specification.

Throughout the description and claims of this specification the word "comprise" and variations of that word, such as "comprises" and "comprising", are not intended to exclude other additives, components, integers or steps.

André Chisell

PIPERS
Attorneys for the Applicant

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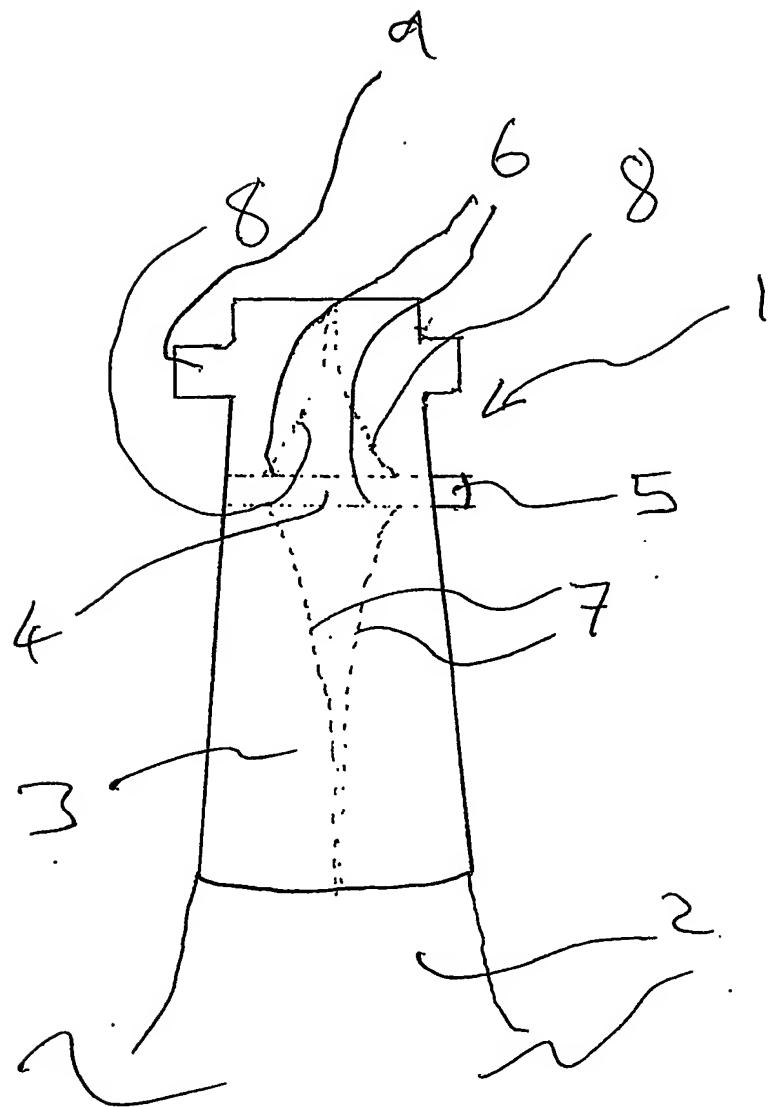


Fig 1

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